

REMARKS

Presently claims 1, 2, 4-6, 8-9, and 11-24 are now pending in this application, with claims 3 and 10 having been previously cancelled, claim 7 being cancelled with this response, and claim 24 being added with this response. Claims 1, 4, 9, 12, and 15 are amended above.

Objections to the Drawings

The Examiner objects to the Drawings for not showing every feature of the invention specified in the claims. The Examiner specifically alludes to an omission of a “structure through which coins are passed from the coin insertion (13) to the rollers (2a,2b).

Applicant respectfully notes that only claim 7 specified such a structure; claim 7 stating “wherein the coins skip the processing device through a bypass connected to a coin insertion.” Accordingly, in response to the above objection, Applicant respectfully cancels claim 7.

Objections to the Drawings

The Examiner objects to claim 15 for grammatical reasons. In response, Applicant respectfully amends claim 15 by adopting the Examiner’s suggestion.

Rejections under 35 U.S.C. 112, second paragraph

Claims 4, 7, 8, and 12 are variously rejected under 35 U.S.C. 112, second paragraph for allegedly not particularly pointing out or distinctly claiming the subject matter which Applicant regards as the invention. The specific points of this rejection will now be addressed in turn.

Claim 4 is rejected because the phrase “rotated in response to the coin supply” is allegedly unclear, and “the coin supply” has no antecedent basis. In response, Applicant respectfully amends claim 4 to address these concerns.

Claims 7 and 8 are rejected because Figure 1 allegedly illustrates the coin insertion slot to have no connection either to the funnel or the rollers. In response, Applicant respectfully points out that claims 7 has been cancelled, and claim 8 recites that “the coins skip the pair of rollers through a bypass connected to a coin insertion slot.” This bypass of claim 8 is shown in Figure 1 at element 7.

Claim 12 is rejected because the relationship between the “processing device” and other structural elements is allegedly unclear. In response, Applicant respectfully amends claim 12 to address these concerns.

Applicant respectfully submits that at least in light of the above amendments and remarks, the 112 rejections are overcome.

Rejections under 35 U.S.C. 102(b) or 103(a)

Claims 1, 2, 4-6, 9, 11, 12, and 19-23 are rejected under 35 U.S.C. 102(b) or 103(a) as being anticipated by or obvious over United States Patent No. 5,355,988 to Shirasawa (“Shirasawa” hereinafter). Applicant respectfully traverses.

“A claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference.” *Verdegaal Bros. V. Union Oil Co. of California*, 814 F.2d 628, 631, 2 USPQ2d 1051, 1053 (Fed. Cir. 1987).

For an obviousness rejection to be proper, the Examiner must meet the burden of establishing that all elements of the invention are disclosed in the prior art and that the prior art relied upon, coupled with knowledge generally available in the art at the time of the invention, must contain some suggestion or incentive that would have motivated the skilled artisan to modify a reference or combined references. *In re Fine*, 5 U.S.P.Q.2d 1596, 1598 (Fed. Cir. 1988); *In Re Wilson*, 165 U.S.P.Q. 494, 496 (C.C.P.A. 1970); *Amgen v. Chugai Pharmaceuticals Co.*, 927 U.S.P.Q.2d, 1016, 1023 (Fed. Cir. 1996).

Applicant's amended claims 1 and 9 recite *inter alia*, rollers that are either rotated or configured to be rotated "at different speeds."

Shirasawa does not teach rollers that rotate at different speeds. Instead, referring to Figures 4-8, Shirasawa simply addresses directional rotation (in the case of the Figures the rotation is in the same direction) of the rollers 35-38 and 47, teaching nothing of rotational speed.

Rollers that can rotate at different speed are advantageous in that roller speed can be adapted in response to the physical characteristics of the coins to be separated. For example, it can be provided that roller 2a have a lower rotational speed than roller 2b if the set of coins comprises relatively large sizes, whereas roller 2a may have a higher speed than roller 2b if the set of coins comprises relatively small sizes. In this manner, operation of the device may be improved.

For at least the above reasons, Applicant respectfully asserts that Shirasawa does not teach or suggest all of the limitations of Applicant's amended Claims 1 and 9. Accordingly, Applicant respectfully submits that neither anticipation nor *prima facie* obviousness exists regarding amended claims 1 and 9 with respect to Shirasawa.

Since Shirasawa fails to teach or suggest all of the limitations of amended Claims 1 and 9, clearly, one of ordinary skill at the time of Applicant's invention would not have a motivation to modify the reference, or a reasonable likelihood of success in forming the claimed invention by modifying. Thus, here again, *prima facie* obviousness does not exist. *Id.*

As such, the requirements of *prime facie* obviousness does not exist regarding amended Claims 1 and 9 with respect Shirasawa. Applicant respectfully submits that Claims 1 and 9 are not further rejected or objected and is therefore allowable. As Claims 2, 4-6, 11, 12, and 19-23 variously depend from Claims 1 and 9, they are thus

correspondingly allowable. Reconsideration and allowance of Claims 1, 2, 4-6, 11, 12, and 19-23 is respectfully requested.

Rejections under 35 U.S.C. 103(a)

Claims 7, 8, 13, and 18 are rejected under 35 U.S.C. 103(a) as being obvious over Shirasawa in view of United States Patent No. 5,988,349 to Bruner (“Bruner” hereinafter). Applicant respectfully traverses, with claim 7 having been respectfully cancelled.

For an obviousness rejection to be proper, the Examiner must meet the burden of establishing that all elements of the invention are disclosed in the prior art and that the prior art relied upon, coupled with knowledge generally available in the art at the time of the invention, must contain some suggestion or incentive that would have motivated the skilled artisan to modify a reference or combined references. *In re Fine*, 5 U.S.P.Q.2d 1596, 1598 (Fed. Cir. 1988); *In Re Wilson*, 165 U.S.P.Q. 494, 496 (C.C.P.A. 1970); *Amgen v. Chugai Pharmaceuticals Co.*, 927 U.S.P.Q.2d, 1016, 1023 (Fed. Cir. 1996).

With reference to the 102/103 arguments above, Applicant respectfully points out that Shirasawa does not teach every element of Applicant’s claims 1 and 9. As Bruner does not remedy the deficiencies of Shirasawa, and claims 8, 13, and 18 depend variously from claims 1 and 9, the proposed combination of Shirasawa and Bruner does not teach every element of claims 8, 13, and 18. Accordingly, Applicant respectfully submits that *prima facie* obviousness does not exist regarding claims 8, 13, and 19 with respect to the proposed combination of Shirasawa and Bruner.

Since the proposed combination of Shirasawa and Bruner fails to teach or suggest all of the limitations of claims 8, 13, and 18, clearly, one of ordinary skill at the time of Applicant’s invention would not have a motivation to modify or combine the references, or

a reasonable likelihood of success in forming the claimed invention by modifying or combining. Thus, here again, *prima facie* obviousness does not exist. *Id.*

As such, the requirements of *prime facie* obviousness does not exist regarding claims 8, 13, and 18 with respect to the proposed combination of Shirasawa and Bruner. Applicant respectfully submits that claims 8, 13, and 18 are not further rejected or objected and is therefore allowable.

Claims 14, 16, and 17 are rejected under 35 U.S.C. 103(a) as being obvious over Shirasawa in view of United States Patent No. 5,713,451 to Masse ("Masse" hereinafter). Applicant respectfully traverses.

For an obviousness rejection to be proper, the Examiner must meet the burden of establishing that all elements of the invention are disclosed in the prior art and that the prior art relied upon, coupled with knowledge generally available in the art at the time of the invention, must contain some suggestion or incentive that would have motivated the skilled artisan to modify a reference or combined references. *In re Fine*, 5 U.S.P.Q.2d 1596, 1598 (Fed. Cir. 1988); *In Re Wilson*, 165 U.S.P.Q. 494, 496 (C.C.P.A. 1970); *Amgen v. Chugai Pharmaceuticals Co.*, 927 U.S.P.Q.2d, 1016, 1023 (Fed. Cir. 1996).

With reference to the 102/103 arguments above, Applicant respectfully points out that Shirasawa does not teach every element of Applicant's claim 9. As Masse does not remedy the deficiencies of Shirasawa, and claims 14, 16, and 17 depend from claim 9, the proposed combination of Shirasawa and Masse does not teach every element of claims 14, 16, and 17. Accordingly, Applicant respectfully submits that *prima facie* obviousness does not exist regarding claims 14, 16, and 17 with respect to the proposed combination of Shirasawa and Masse.

Since the proposed combination of Shirasawa and Masse fails to teach or suggest all of the limitations of claims 14, 16, and 17, clearly, one of ordinary skill at the time of

Applicant's invention would not have a motivation to modify or combine the references, or a reasonable likelihood of success in forming the claimed invention by modifying or combining. Thus, here again, *prima facie* obviousness does not exist. *Id.*

As such, the requirements of *prime facie* obviousness does not exist regarding claims 14, 16, and 17 with respect to the proposed combination of Shirasawa and Masse. Applicant respectfully submits that claims 14, 16, and 17 are not further rejected or objected and is therefore allowable.

Claim 15 is rejected under 35 U.S.C. 103(a) as being obvious over Shirasawa, in view of Masse, in view of United States Publication No. 2003/0127299 to Jones ("Jones" hereinafter). Applicant respectfully traverses.

For an obviousness rejection to be proper, the Examiner must meet the burden of establishing that all elements of the invention are disclosed in the prior art and that the prior art relied upon, coupled with knowledge generally available in the art at the time of the invention, must contain some suggestion or incentive that would have motivated the skilled artisan to modify a reference or combined references. *In re Fine*, 5 U.S.P.Q.2d 1596, 1598 (Fed. Cir. 1988); *In Re Wilson*, 165 U.S.P.Q. 494, 496 (C.C.P.A. 1970); *Amgen v. Chugai Pharmaceuticals Co.*, 927 U.S.P.Q.2d, 1016, 1023 (Fed. Cir. 1996).

With reference to the 102/103 arguments above, Applicant respectfully points out that Shirasawa does not teach every element of Applicant's claim 9. As Masse and Jones do not remedy the deficiencies of Shirasawa, and claim 15, 16, and 17 depend from claim 9, the proposed combination of Shirasawa, Masse, and Jones does not teach every element of claim 15. Accordingly, Applicant respectfully submits that *prima facie* obviousness does not exist regarding claim 15 with respect to the proposed combination of Shirasawa, Masse, and Jones.

Since the proposed combination of Shirasawa, Masse, and Jones fails to teach or suggest all of the limitations of claim 15 clearly, one of ordinary skill at the time of Applicant's invention would not have a motivation to modify or combine the references, or a reasonable likelihood of success in forming the claimed invention by modifying or combining. Thus, here again, *prima facie* obviousness does not exist. *Id.*

As such, the requirements of *prime facie* obviousness does not exist regarding claim 15 with respect to the proposed combination of Shirasawa, Masse, and Jones. Applicant respectfully submits that claim 15 is not further rejected or objected and is therefore allowable.

Conclusion

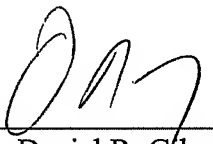
All of the objections and rejections are herein overcome. In view of the foregoing, it is respectfully submitted that the instant application is in condition for allowance. No new matter is added by way of the present Amendments and Remarks, as support is found throughout the original filed specification, claims and drawings. Prompt issuance of Notice of Allowance is respectfully requested.

The Examiner is invited to contact Applicant's attorney at the below listed phone number regarding this response or otherwise concerning the present application.

Applicant hereby petitions for any extension of time under 37 C.F.R. 1.136(a) or 1.136(b) that may be necessary for entry and consideration of the present Reply.

If there are any charges due with respect to this Amendment or otherwise, please charge them to Deposit Account No. 06-1130 maintained by Applicant's attorneys.

Respectfully submitted,

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